

MICHIGAN STATE MEDICAL SOCIETY

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MEMO TO: House Health Policy Committee

FROM: Alan Mindlin, MD, President

RE: House Bill 4606

On behalf of the more than 14,000 physicians of the Michigan State Medical Society, I am writing in support of House Bill 4606. This legislation is a first step in addressing the unnecessary confusion surrounding the application of HIPAA relative to state law.

The Health Insurance Portability and Accountability Act (HIPAA) is, among other things, a national standard that applies to health care privacy and electronic health care transactions. The Department of Health and Human Services was charged with creating uniform standards for these aspects of health care. However, the legislation stipulates that HIPAA supercedes state law unless the federal standards are contrary or less stringent than state law.

This provision has created a great deal of uncertainty for physicians and other health care providers. HIPAA is both complex and thorough. It is unlikely that any existing state law would provide any additional measure of security related to transactions covered under HIPAA. Therefore, the intent of House Bill 4606 to streamline the regulatory confusion surrounding these types of transactions is welcomed by the physician community.

HIPAA has added a significant cost to the provision of health care. However, by adopting a single standard, as proposed in House Bill 4606, the additional burden of navigating both state and federal laws is minimized. While House Bill 4606 is limited to a specific type of health care transaction, it is the hope of the Michigan State Medical Society that House Bill 4606 will be the first of several bills to make Michigan law parallel the federal standard.

